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10/028,271	12/28/2001	Steven G. Smith	BS00-355	2770

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EXAMINER

ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/028,271	Applicant(s) SMITH ET AL.	
	Examiner Meless N Zewdu	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 10/28/04.
2. Claims 23-27 have been added.
3. Claims 1-27 are pending in this action.
4. This action is final.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “--- one or more **systems configured** to implement testing of the communications network”, recited in claim 21, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

Art Unit: 2683

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 3 is objected to because of the following informalities: the previous dependency of claim 3 has been left unchanged while a new dependency is assigned to it. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 6, 9, 10-17 and 19, 20 and 24, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted Prior Art (APA) in view of Kikinis (US 2002/0103851 A1).

As per claim 1: the admitted prior art discloses receiving a transaction request from a user (see fig. 1, elements 160 and 110; page 2, paragraph 0004) wherein the supervisor is the user; the user interacting with one or more resources through a transaction server to execute the transaction request (see fig. 1; page 1, paragraph 0002; page 2, paragraph 0004); providing a feedback to the user (supervisor) in response to the transaction request through the remote device (see fig. 1; page 2, paragraph 0004); wherein the resource include one or more systems configured to provide the location of a technician in the field (see page 2, paragraph 0004, GPS). The fact that the technician responds to the supervisor can be considered a feedback. Also, the networks elements used by the supervisor and the technician can be considered resources. But, the APA does not explicitly teach about receiving a login request from a user/supervisor, determining whether the user/supervisor is authorized user and receiving transaction request from the user/supervisor if the supervisor is an authorized user, as claimed by applicant. However, in a related field of endeavor, Kikinis teaches about a wireless enabled digital phone and a WAP gateway (see page 2, paragraphs 0015-0016, 0022-0023) wherein the WAP gateway receives a login request and perform security check (authentication) before delivering service to a requesting wireless device (see page 3, paragraph 0036, also see page 3, paragraphs 00030-0035). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the APA with the teaching of Kikinis for the advantage of providing faster, and more streamlined access to information requested by small businesses while security is enhanced from behind a security firewall (see page 1, paragraphs 0002-0004).

Art Unit: 2683

As per claim 11: the difference between the features of claim 1 and 11 is that the first is a method claim and the second is an apparatus claim. Besides the similarity of the features of both claims 1 and 11, the apparatus claim 11 is expected to operate or perform the steps of the method claim 1. Hence, claim 11 is rejected on the same ground and motivation as claim 1.

As per claim 16: the APA discloses a transaction server interface between a remote device and one or more resources during the communications session to process a transaction request received from a supervisor, wherein the resources are related to technicians associated with users/supervisors (see fig. 1, particularly, elements 110 and 160; page 1, paragraph 0002-page 2, paragraph 0036); wherein the resources include one or more systems configured to provide the location of a technician in the field (see page 2, paragraph 0004) . But, the APA does not explicitly teach about a transaction server coupled to a front-end servers wherein one or more front-end servers (are) adapted to determine whether a supervisor who submits a login request through the remote device during a communication session is authorized user and providing service if the requesting supervisor is authorized user, as claimed by applicant. However, in a related field of endeavor, Kikinis teaches about WAP (wireless application protocol) enabled digital phone/s capable of accessing a network via WAP GW (gateway) wherein the gateway (see entire document, particularly, fig. 1, elements 108, 105, 104; page 1, paragraph 0008-page 2, paragraph 0016; page 2, paragraphs 0021-0023; page 3, paragraphs 0034-0036). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the APA with the teaching of

Art Unit: 2683

Kikinis for the advantage of providing faster, and more streamlined access to information requested by small businesses while security is enhanced from behind a security firewall (see page 1, paragraphs 0002-0004).

As per claim 23: a computer program product for enabling a user to perform office transaction from a field location, the computer program product comprising:

a storage medium readable by a processing circuit and storing instructions for execution by the processing circuit for facilitating a method reads on APA (see page 1, paragraph 0002-page 2, paragraph 0004). The APA's dispatch system must have a storage medium readable by a processing circuit and storing instructions for execution by the processing circuit for facilitating the disclosed dispatch communication. Other than this feature, other features of claim 23 are similar of the features of claim 1. Hence, claim 23 is rejected on the same ground and motivation as claim 1

As per claim 2: the method wherein the resources include one or more systems configured to provide information concerning the technician's current job reads on APA (see fig. 1, elements 110 and 160; see page 2, paragraph 0004).

As per claim 6: the method wherein the resources include one or more systems configured to provide information concerning the technician's current job reads on APA (see fig. 1, elements 110 and 160; page 2, paragraph 0004).

As per claim 9: the method wherein the resources include one or more of a legacy system, an intranet, and the internet reads on '851 (see page 3, paragraphs 0028-0032).

Art Unit: 2683

As per claim 10: the method wherein the resources include one or more of a security information management system, an out side plant construction management system, a loop qualification system, a work activity statistical sampling system, a fleet operation support system, a fleet optimizer system, an integrated technician performance system, a network monitoring and analysis system, a proactive maintenance administration system, an integrated dispatch system, a mechanized time reporting system, an employee scheduling program, an open system interconnect platform, an out side plant engineering design system reads on APA (see fig. 1, elements 150 and 152; page 1, paragraph 0002-page 2, paragraph 0004). When the APA is modified by Kikinis, as shown above, the modified system will be capable of including at least one or more of the following: an integrated technician performance system, an integrated dispatch system and a proactive maintenance administration system.

As per claim 12: the system wherein the mobile gateway interface is adapted to determine whether the user/ supervisor is an authorized user of the system reads on '851 (see page 3, paragraph 0036).

As per claim 13: a system wherein the mobile gateway interface comprises one or more of a front-end voice server, a front-end data server, and a transaction server reads on '851 (see figs. 1 and 2; page 3, paragraph 0033). At least, the one condition has been met.

As per claim 14: the system, wherein the mobile gateway interface further comprises a data base, wherein the database is accessible by one or both of the front-end voice server and the front-end data server, and wherein the database includes user

Art Unit: 2683

information associated with the user/supervisor reads on '851 (see page 3, paragraphs 0033-0036). The prior art shows the one (data server) of the one or both of the front-end voice server and the front-end data server.

As per claim 15: the system wherein the transaction server processes a transaction request received from the supervisor using the remote device if the supervisor is an authorized user reads on '851 (see page 3, paragraph 0036). When the APA is modified by the teaching of Kikinis, as discussed in the rejection of claim 1, the transaction requested by the user/supervisor, using the wireless device 120, (see APA fig. 1, element 110) will be processed based upon determination as to the supervisor is an authorized user of the system.

As per claim 17: the mobile gateway wherein the resources include one or more of a security information management system, an out side plant construction management system, a loop qualification system, a work activity statistical sampling system, a fleet operation support system, a fleet optimizer system, an integrated technician performance system, a network monitoring and analysis system, a proactive maintenance administration system, an integrated dispatch system, a mechanized time reporting system, an employee scheduling program, an open system interconnect platform, an out side plant engineering design system reads on APA (see fig. 1, elements 150 and 152; page 1, paragraph 0002-page 2, paragraph 0004). When the APA is modified by Kikinis, as shown above, the modified system will be capable of including at least one or more of the following: an integrated technician performance

Art Unit: 2683

system, an integrated dispatch system and a proactive maintenance administration system.

As per claim 19: the mobile gateway interface wherein one of the front-end servers is a data server reads on '851 (page abstract; page 3, paragraph 0036).

As per claim 20: the mobile gateway further comprising a database accessible to the front-end servers, wherein the data base includes user information associated with authorized users of the mobile gateway interface reads on (see page 3, paragraph 0036).

As per claim 22: the features of claim 22 are similar to the features of claim 17. Particularly, those features associated with the supervisor and the technician. For, example, the supervisor first has to find the technician in order to communicate any message. So, **locating a technician**, indicates that one of the at least one or more criteria has been met. Hence, Claim 22 is rejected on the same ground and motivation as claim 17.

As per claim 24: the feature of claim 24 is similar to the feature of claim 2. Hence, claim 24 is rejected on the same ground and motivation as claim 2.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over the above references, as applied to claims 1 and 11-13 above, and further in view of Karlsson et al. (Karlsson) (US 6,22,819 B1).

As per claim 18: but, the above references do not explicitly teach about a mobile gateway interface, wherein one of the front-end servers is a voice server, as claimed by applicant. However, in a related field of endeavor, Karlsson teaches that a voice

Art Unit: 2683

gateway server can be provided to interface between GMSC and the internet/Intranet or other IP communication network (see col. 3, line 42-col. 4, line 55). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Karlsson for the advantage of routing voice telephone calls received by a mobile radio network to a destination station via an Internet protocol communication network on a data packet channel (see col. 1, lines 8-13).

Claims 3, 7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above references, as applied to claims 1, 11 and 16 above, and further in view of House et al. (House) (US 2003/0028410 A1).

As per claim 3: the above references do not explicitly teach about a method wherein one or more systems are configured to alter the technician's schedule, as claimed by applicant. However, in a related field of endeavor, House teaches about method and apparatus for wireless workforce mobilization and management, in real-time via a wireless communication network, wherein a database of personnel and work is updated to reflect the assignment (see entire document, particularly, page 1, paragraphs 0009-0012; Page 2, paragraphs 0013-0014; claim 8), wherein updating the assignment database can alter the technician's schedule. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the above reference with the teaching of House for the advantage of making personal assignment on real-time basis using a wireless communication network (see page 1, paragraph 0007).

Art Unit: 2683

As per claim 7: the feature of claim 7 is similar to the feature of claim 3. Hence, claim 7 is rejected on the same ground and motivation as claim 3.

As per claim 25: the feature of claim 25 is similar to the feature of claim 3. Hence, claim 25 is rejected on the same ground and motivation as claim 3.

Claims 4, 8 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references, as applied to claims 1, 11 and 16 above, and further in view of Rosse (US 6,640,212 B1).

As per claim 4: the above references do not explicitly teach about resources that include one or more systems configured to alter vehicle assignment for the technician, as claimed by applicant. However, in a related field of endeavor, Rosse teaches about information management system comprising real-time/interactive schedule display program to provide service using staff/work force of a service provider wherein, among other thing, vehicle usage schedule is set up for the staff members (see col. 11, lines 47-60). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the above references with the teaching of Rosse for the advantage of providing collection and management of information standardized to create consistency and stability (see col. 2, lines 23-28).

As per claim 8: the feature of claim 8 is similar to the feature of claim 4. Hence, claim 8 is rejected on the same ground and motivation as claim 4.

As per claim 26: the feature of claim 26 is similar to the feature of claim 4. Hence, claim 26 is rejected on the same ground and motivation as claim 4.

Claims 5, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above references, as applied to claims 1, 11 and 16 above, and further in view of Rickli et al. (Rickli) (US 5,481,588).

As per claim 5: the above references do not explicitly teach about resources including one or more systems configured to implement testing of a communications network, as claimed by applicant. However, in a related field of endeavor, Rickli teach about testing arrangement for radio telephone systems comprising at least one base station and a plurality of mobile stations, wherein the quality of service in the mobile radio installation is ascertained with the aid of at least one test mobile remote unit exchanging test call signal and clock time data with the at least one base station (see entire document, particularly, col. 2, line 40-col. 3, line 67; col. 8, lines 25-67). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the above references with the teaching of Rickli for the advantage of determining the quality of service in a mobile radio communication system (installation).

As per claim 21: the feature of claim 21 is similar to the feature of claim 5. Hence, claim 21 is rejected on the same ground and motivation as claim 5.

As per claim 27: the feature of claim 27 is similar to the feature of claim 5. Hence, claim 27 is rejected on the same ground and motivation as claim 5.

Response to Arguments

Applicant's arguments filed 10/28/04 have been fully considered but they are not persuasive. This response is directed to claims 1, 2, 6, 9, 10-17 and 19, 20, 24, 22 and 24 and , particularly, claims 1, 11 and 16. The argument and response follow as shown below.

Argument I: with regard to the above claims and particularly claim 1, applicant argues by saying the APA fails to teach about the resources identified in claim 1, which enables a supervisor to interact with colleagues directly via the transaction server and without relying on other human interaction.

Response 1: examiner respectfully disagrees with the argument. First, examiner requests that the rejection be viewed as combined and not separately. In the combined references, Kikinis about a method for remote control of a data processing system over a network by a proxy comprising the steps of (a) connecting to the network using a network capable device; (b) logging into a proxy server and authenticating for access; (c) formulating and sending a request directed to the data system to be controlled; (d) forwarding the request from the proxy server to a proxy agent at the data system; (e) performing at least one task specified in the request ; and (f) returning results of task performance to the request initiator (see page 1, paragraph 0008-page 2, paragraph 0016, particularly page 2, paragraphs 0015-0016). This Kinkinis reference and the APA are related arts and hence combinable. Once, combined, the supervisor in APA will not

require human intervention for the request initiator to do his/her job. Hence, the argument is not persuasive.

Argument II: further with regard to the above claims, applicant generally asserts Kikinis does not cure the deficiency in the APA; and the combination of the APA and the Kikinis reference will not result in claim 1.

Response II: examiner respectfully disagrees. In that, the deficiency in the APA teaching is cured with the teaching of in the Kikinis' reference, as shown in the body of the rejection and the above response, and the combination results in a requester/supervisor communicating with a remote server, with out any human intervention. Hence, the argument is not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2683

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu

M, Z'

Examiner

10 March 2005.

Wb2

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